

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS APRIL 26, 2005 9:00 A.M.

ROLL CALL

Invocation – Pastor Albert Mays
Pledge of Allegiance

REGULAR AGENDA

1. Failure to be represented by local organizations in a consumer complaint issue, constitutes a possible violation of ethics. [Sylvia Santos]

MAYOR'S PROCLAMATIONS

1. *Teacher Appreciation Week*
2. *Día de Los Ninos/Día de Los Libros Day*
3. *Earth Day*

RECOGNITION

PRESENTATION OF CONQUISTADOR AWARD TO JOHN SCAGNO

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA**2. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of April 19, 2005.

3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**4. RESOLUTIONS:**

4A. That the prohibition against landing aircraft within the City limits except upon regularly established airfield or landing place contained in Section 14.12.080 of the El Paso Municipal Code is hereby waived to permit the Department of Homeland Security Customs and Border Protection, U.S. Border Patrol Air and Marine Operations, to land a UH-1H Huey Helicopter on the Customs Department parking lot located near the Bridge of the Americas in connection with educational and public relations event to be held on April 26, 2005.

[Airport, Patrick T. Abeln, (915) 780-4724]

4B. Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

7204 ½ North Loop Drive

\$2,419.35

(District 3)

Jose M. Escobar [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

4C. That the City Manager be authorized to sign a Contract of Sale between the CITY OF EL PASO and EDUARDO & MARGARITA MENDOZA for the purchase of a portion (100.1 square feet) of Lot 8-A, Replat of Childs Subdivision, El Paso, El Paso County, Texas, for the Dorbandt Circle Street & Drainage Improvement Project. Funding Source: Project PBE04ST108, Fund 29123, Department 14200403, Account 508000 **(District 7)**

[Building and Planning Services, Patricia D. Adatao, (915) 541-4853]

4D. That the City Manager is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for service to the Plaza Theatre, 125 Pioneer Plaza, El Paso, El Paso County, Texas. Said electrical service shall consist of an underground system consisting of a 277/480 volt, three phase, four wire. Three 1500 KVA transformers will be installed to service the electrical load. **(District 8)**

[Engineering Department, Irene Ramirez, (915) 541-4431]

4E. That the City Manager be authorized to sign a Third Amendment to an Agreement for Architectural Services by and between the CITY OF EL PASO and MARTINEZ & JOHNSON ARCHITECTURE, P.C., for a project known as "Plaza Theatre and Centre Annex Renovation" in an amount not to exceed THIRTY-FOUR THOUSAND EIGHTY and NO/100 DOLLARS (\$34,080.00).

This item will be paid for by the El Paso Community Foundation.

Funding Source: PPW0310/27697/31255011/508016 **(District 8)**

[Engineering Department, Irene Ramirez, (915) 541-4431]

- 4F.** That the City Manager be authorized to sign a First Amendment to an Agreement for Engineering Services by and between the CITY OF EL PASO and ECM INTERNATIONAL, INC., for a project known as "Golf Course at EPIA" in an amount not to exceed ONE HUNDRED FIFTY-EIGHT THOUSAND TWO HUNDRED SEVENTY-SEVEN and NO/100 DOLLARS (\$158,277.00).
Funding Source: PAP0023/41063/508027 **(District 2)**
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 4G.** That the Council authorize the Mayor to sign a Joint Resolution between the PSB to the transfer of property and property jurisdiction to the City of El Paso known as all of Block B, Santa Fe Addition to the City of El Paso and a portion of Lot 12, Block "D", Santa Fe Addition, City of El Paso, El Paso County, Texas for the purpose of Chihuahueta Neighborhood Association use as a community garden.
(District 8) [Mayor Pro Tempore Anthony W. Cobos, (915) 541-4123]
- 4H.** That the City Manager be authorized to sign an Underground Electrical Easement to the El Paso Electric Company on Lot 1, Block 29, Vista Del Sol Unit 3, El Paso, Texas to provide electrical service to Vista Del Sol Park.
Funding Source – 2000 QOL Bond Program. **(District 7)**
[Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]
- 4I.** That the City accepts the dedication of a street right-of-way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described in the attached deed from Frontera Vista L.P., a Texas Limited Partnership. **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 4J.** That the City Manager be authorized to sign an amendment to the Developer Agreement originally entered into between Frontera Vista L.P. and the City of El Paso on August 26, 2003 for the construction of certain roadway and crossing improvements in the vicinity of the Gomez Road area, such amended agreement attached hereto as Exhibit "A". This developer agreement, as amended, is made pursuant to Section 212.071 and 212.072 of the Texas Local Government Code as well as the City of El Paso Municipal Code. **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 5.** Request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:
- 5A.** Custodial Workers (2)
Fund Source: 62620005-40101-62010
[Airport, Patrick T. Abeln, (915) 780-4724]
- 5B.** Transit Information Clerk (1)
Fund Source: 60600001-40345-60000
[Mass Transit, Terry Lee Scott, (915) 534-5810]
- 5C.** Police Trainees (25)
Fund Source: 21010052-01101-21000
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

6. Request for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

6A. Secretary II (1)

Fund Source: 75%-71150047-10039-71000-G7130CD0002-501000

12.5 %-71150005-05176-71000-G710RSSTAT-501000

12.5%-71150005-05172-71000-G7105FGFEDR-501000

[Community and Human Development, Robert Salinas, (915) 541-4643]

6B. Court Liaison Supervisor (1)

Fund Source: 21010069-01101-21000

[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

7. BOARD RE-APPOINTMENTS:

7A. David A. Palmer to the Ethics Review Commission by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]

7B. Ali Boureslan to the Civil Service Commission by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]

7C. Maria Picard-Ami to the Fair Housing Task Force by Representative Vivian Rojas, District 7. [Representative Vivian Rojas, (915) 541-4108]

7D. Lance E. Ruck to the Civil Service Commission, reappointment effective date 05/06/05, by Mayor Pro Tempore Anthony W. Cobos, District 8. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

8. BOARD APPOINTMENTS:

8A. Dr. Roger Ortiz, DDS, to the El Paso City-County Board of Health by Mayor Joe Wardy. (nominated by El Paso Dental District Society)
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

8B. Dr. Luis Acosta, MD, to the El Paso City-County Board of Health by Mayor Joe Wardy. (nominated by El Paso County Medical Society)
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

8C. Ben Arriola to the El Paso City-County Board of Health by Mayor Joe Wardy. (nominated by Restaurant Association)
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

8D. Lawrence Giron MA, RN, to the El Paso City-County Board of Health by Mayor Joe Wardy. (nominated by Texas Nurses Association)
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

8E. Representative Susan Austin to the El Paso City-County Board of Health by Mayor Joe Wardy. (nominated by the City of El Paso)
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

8F. Henry Ng to the Building Board of Appeals by Mayor Joe Wardy.
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

- 8G.** Shari S. Schwartz to the History Museum Board by Representative Susan Austin, District 1. [Representative Susan Austin, (915) 541-4886]
- 8H.** Tim Gray to the Building Board of Appeals by Representative Susan Austin, District 1. [Representative Susan Austin, (915) 541-4886]
- 8I.** Daniel De La Haye to the Historic Landmark Commission by Representative Robert A. Cushing, Jr., District 2. [Representative Robert A. Cushing, Jr., (915) 541-4416]
POSTPONED FROM 04/12/05, 03/29/05, 03/15/05 AND 03/08/05
- 8J.** Kenneth Gezelius to the Civil Service Commission by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]
- 8K.** H. Thomas Prestidge to the Building Board of Appeals by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]
- 8L.** Seam Chow to the Building Board of Appeals, as an alternate appointee, by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]
- 8M.** Rudy C. Villalobos to the Community Development Steering Committee by Representative Presi Ortega, Jr., District 5.
[Representative Presi Ortega, Jr., (915) 541-4189]
- 8N.** Sal Soto, Jr. to the Building Board of Appeals, as an alternate appointee, by Representative Presi Ortega, Jr., District 5.
[Representative Presi Ortega, Jr., (915) 541-4189]
- 8O.** Norma Cervantes to the Fair Housing Task Force by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]
- 8P.** C. Larry Trejo to the Building and Standards Commission by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]
- 8Q.** Seth Guido to the Building Board of Appeals by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]
- 8R.** Joe Balderrama to the Building Board of Appeals, as an alternate appointee, by Representative Paul J. Escobar, District 6.
[Representative Paul J. Escobar, (915) 541-4182]
- 8S.** Blanca Dominguez to the International Bridge Commission by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]
- 8T.** Michael Bray to the Building and Standards Commission by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]
- 8U.** Roman Bustillos to the Building and Standards Commission by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]

9. **RESIDENTIAL STREET LIGHT:** Approve installation, power, and maintenance of residential street light at the following location:

Across from 8691 Independence Dr., by the crosswalk Cost \$949 **(District 6)**
Account No. 504420, Dept ID No. 01153008, Fund No. 16506
[Representative Paul J. Escobar, (915) 541-4182]

10. **APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]
Motion made, seconded, and unanimously carried that the following tax refunds be approved: (See attachment)

11. **DISCRETIONARY FUNDS:**

Request to allocate \$3,000.00 from District #8 discretionary funds for the purchase of a water meter for the "Chihuahueta Community Garden" that will be built on the land that was transferred over to the City of El Paso by the Public Service Board on April 13, 2005. **(District 8)** [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]
ID#01153012, Acct# 504420, Project# PD80429, Fund#16508, Class#01001

12. Request Council to declare Tennant Company as sole source for "Tennant Warranty Maintenance & Support", including emergency warranty parts support and to authorize the Director of Purchasing to issue purchase orders as the need arises to Tennant Company, until such time that Tennant Company is no longer the sole source.

Tennant Company is the sole manufacturer of Tennant, Nobles and Castex products and they are the only source that can provide factory warranties for these products, and that can provide factory level warranty maintenance. The City of El Paso owns Tennant Company street sweepers, including runway sweepers, and requires warranty maintenance and parts support for this equipment. This equipment is essential for the safe operation of the El Paso International Airport. To keep the equipment operational, they must be on a routine preventive maintenance program.

Furthermore, it is requested that staff be authorized to negotiate, the City Attorney's Office to review and that the City Manager execute any additional documents and/or agreements as necessary. Funds for this expenditure shall be made available through various City funding sources.

Department: Department of Aviation
Funds Available: 62620003-503121
Funding Source: Airport Operating Fund
Amount: \$100,000 (annual estimate)
District (s): District 3 (2005-197)
[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

13. CHANGE ORDER: [Purchasing Department, Byron Johnson, (915) 541-4308]

Approve Change Order No. One (Construction Change) to Golf Works, Inc., for Contract No. 2005-050, El Paso International Airport Golf Course project, for an increased amount of \$37,717.00. The purpose of this change order is as follows:

To provide for 8" water line, from PSB main line, to fill lakes of golf course.

Provision of water line into lakes was not part of the original plans and specifications. This work must now be added in order to complete the construction of the lakes, which are part of the irrigation system. This work is vital in order to meet the contract deadlines for grassing of the golf course by August 31, 2005.

14. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

14A.	Solicitation No.:	2005-098	Portable Cardiac Monitor/Defibrillator
	Award to:		Medtronics Emergency Response Systems
			Redmond, WA
	Item (s):		Part One
		Item O1	Portable Cardiac Monitor/Defibrillator
			13 each @\$23,966.68
	Amount:		\$311,566.84
		Item O2	Less Trade-In Allowance for
			13 each @ \$4,000.00, Zoll M Series
			Cardiac Monitor/Defibrillators
			-52,000.00
			Net Cost
			\$259,566.84
	Department:	El Paso Fire Department	
	Funds available:	04250201-508007-27203-PMB0002130(\$ 47,699.00)	
		04252003-508012-27260-PMB0004130(\$113,867.84)	
		04102008-508010-27131-P540008 (\$100,000.00)	
		04250203-508012-27251-PMB0003130 (\$ 50,000.00)	
	Funding source:	FY2001 Certificates of Obligation for City Equipment	
		FY2003 Certificates of Obligation for City Equipment	
		FY1998 Certificates of Obligation for City Equipment	
		FY2002 Certificates of Obligation for City Equipment	
	Total award:	\$311,566.84	
	District (s):	All	

The Fire and Purchasing Departments recommend award to Medtronics Emergency Response Systems, as indicated, as this vendor has provided the Best Value Bid. Three lower bids were received but did not meet specifications as noted in the Fire Department's recommendation memo.

This is a best value single (one-time) purchase, to purchase Portable Cardiac Monitor/Defibrillators as required by the El Paso Fire Department. There are options to purchase up to one-hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within thirty (30) days, sixty (60) days, ninety (90) days, one-hundred and twenty (120) days, and one-hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

- 14B.** Solicitation No.: 2005-144 Library Furniture
Award to: El Paso Automated Office & Industrial Systems, Inc.
 El Paso, Texas
Item (s): Group I, excluding Item 10
 Group III, excluding Items 8, 10, and 11
Amount: \$233,648.61
- Department: El Paso Library
Funds available: 72509501-508009-51004
Funding source: FY2000 Main Library TIF Fund
Total award: \$233,648.61
District (s): **8**

The Library and Purchasing Departments recommend award to El Paso Automated Office & Industrial Systems Inc. as indicated, as this vendor has provided the Best Value Bid. This vendor is also the sole responsive offer received for Groups I and III. Two offers were received for Group II, both offers were deemed non-responsive as noted in the backup. Request that council reject all offers for Group I item 10, Group III items 8,10, 11, and Group II in it's entirety. Group II will be re-bid at a later date.

This is a best value single (one-time) procurement, to purchase Library Furniture for the main library required by the El Paso Library Department. An option is offered to purchase up to one-hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within sixty (60) days from the contract award date. No prompt payment discount is offered.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

- 14C.** Solicitation No.: 2005-137 Airway Pump Station Generator Addition
Contractor: Mesa Electrical Contractors, Inc.
 El Paso, Texas
- Department: Streets
Funds Available: 14200402-PBE04FC101-29111-508027
Funding Source: 2004 Bond Issue
Items: Base Bid \$106,000.00
 Alternate 1 \$ 18,000.00
Total Award: \$124,000.00
District (s): **3**

RECOMMENDATION:

The Departments of Engineering and Streets recommend the award of this contract to Mesa Electrical Contractors, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

15. REQUEST FOR PROPOSAL:

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

15A. Solicitation No.: 2005-080R Professional Planning Services for the
Development of a Comprehensive Park,
Recreation and Open Space Master Plan

Award to: Halff Associates
Austin, Texas

Amount: \$200,000.00 (not to exceed)

Department: Parks & Recreation

Funds available: 51010279/16301/P500201/502115

Funding source: Administrative/Shelters User Fees

Total award: \$200,000.00 (not to exceed)

District (s): All

The Evaluation Committee met and reviewed the proposals that were received. It is the recommendation of the Committee to award the RFP to Halff Associates. Their proposal addressed the scope and intent of the RFP and was the highest ranked.

Request authorization for Staff to negotiate, City Attorney to review, and the City Manager to execute any related contract documents and agreements as necessary during the contract.

It is also requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

[Purchasing Department, Monica Vera, (915) 541-4234]

- 15B.** Solicitation No.: 2005-112R Professional Services for the El Paso Museum of History
Award to: Storyline Studio
Bothell, WA
Amount: \$304,000.00 (not to exceed)
- Department: El Paso Museum of History
Funds available: 31250204-508016-60502-PHI05001
Funding source: History Museum Exhibit Area
Total award: \$304,000.00 (not to exceed)
District (s): 8

The Evaluation Committee met and reviewed the proposals that were received. It is the recommendation of the Committee to award the RFP to Storyline Studio. Their proposal addressed the scope and intent of the RFP and was the highest ranked.

Request authorization for Staff to negotiate, City Attorney to review, and the City Manager to execute any related contract documents and agreements as necessary during the contract.

It is also requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.
[Purchasing Department, Monica Vera, (915) 541-4234]

16. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

- 16A.** Solicitation No.: 2005-118 Proprietary Parts & Service, Tennant
Award to: Vendor 1: FMH Material Handling
El Paso, TX
Item (s): 1A & 2B
Amount: \$120,000.00 (estimated annually)
- Award to: Vendor 2: ODB
Richmond, VA
Item (s): 1B
Amount: \$10,000.00 (estimated annually)
- Department: Department of Aviation
Funds available: 62620003-503121
Funding source: Airport Operating Funds
Total award: \$260,000.00 (estimated)
District (s): 3

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the low, responsive, and responsible bidder meeting specifications.

This is a Twenty-Four (24) month requirements-type Contract for Proprietary

Vendor-1 does not offer the option of extending the term of the contract. Vendor-1 offers the City the option of extending the term of the contract for Twelve (12) additional months at the same unit prices, if the option is exercised within one (1) year from the date of award of the contract. Vendor-1 and Vendor-2 do not offer a prompt payment discount.

This is a fixed-price, single (one-time) procurement, to purchase a Wood Chipper required by the Solid Waste Management Department. An option is offered to purchase up to one-hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the contract award date. Prompt payment discounts offered are 1% if paid within 10 days and .05% if paid within 20 days of acceptance.

16C.	Solicitation No.: 2005-143	Gas Monitors
	Award to:	Hagemeyer North America
		El Paso, Texas
	Item (s):	All
	Amount:	\$29,987.00
	Department:	El Paso Fire Department
	Funds available:	22150024-508007-07164-G220405
	Funding source:	Homeland Security Grant
	Total award:	\$29,987.00
	District (s):	All

The Fire and Purchasing Departments recommend award as indicated as this vendor has provided the low responsive bid meeting specifications. Two lower bids were received, but deem non-responsive as outlined in the backup.

This is a fixed-price, single (one-time) purchase, to purchase nine (9) Gas Monitors and related accessories. There is also an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered.

[Purchasing Department, Monica Vera, (915) 541-4234]

16D.	Solicitation No.: 2005-145	Tracked Excavator	
	Award to:	Tom Growney Equipment, Inc.	
		El Paso, TX	
	Item (s):	Alternate Bid 1A	
	Item 1:	Tracked Excavator	\$259,500.00
	Item 2:	5 Year Repair Expenses	+ 42,731.00 (Not to Exceed)
	Amount:		\$302,231.00
	Item 3:	Guaranteed Repurchase Price	-100,000.00
			\$202,231.00 (Total Cost)

Department:	Solid Waste Management	
Funds available:	508006-34340200-40415	(\$259,500.00)
Funds available:	502300-34010296-40403	(\$ 42,731.00)
Funding source:	FY2004 Solid Waste Management Equipment	
Funding source:	FY2005-FY2009 Solid Waste Management Operating Funds	
Total award:	\$302,231.00	
District (s):	All	

The Fleet Services, Solid Waste Management, and Purchasing Departments recommend award as vendor has offered the lowest responsive total cost bid.

This is a fixed-price, single (one-time) purchase, to purchase a Tracked Excavator. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered. [Purchasing Department, Monica Vera, (915) 541-4234]

16E.	Solicitation No.: 2005-156	Herbicides and Other Agents
	Award to: Vendor 1:	Helena Chemical Co.
		College Station, TX
	Item (s):	2, 3, 5, 6, 7 and 8
	Amount:	\$122,889.60
	Award to: Vendor 2:	Helena Chemical Co.
		Mesquite, NM
	Item (s):	1 and 9
	Amount:	\$5,800.00

Department: Department of Aviation
 Funds available: 62620003-503121-40101
 Funding source: Airport Operating Funds
 Total award: \$128,689.60
District (s): 3

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the low, responsive, and responsible bidders meeting specifications.

This is a fixed-price, single (one-time) purchase for Herbicides and other Agents, for the Department of Aviation. Furthermore, it is requested to reject all bids submitted for item 4 and to re-bid with revised specifications as requested by the Department of Aviation.

Vendor-1 and Vendor-2 offered the option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within ten (10) months from the date of award of the contract. Vendor-1 and Vendor-2 do not offer a prompt payment discount.
 [Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

- 16F.** Solicitation No.: 2005-171 Firefighting Chemicals
- Award to: Vendor 1: Chemguard
 Mansfield, TX
- Item (s): 1-4 & 6-9 Option 1A & 2A
 Amount: \$31,762.40 (estimated yearly)
- Award to: Vendor 2: Verde Environmental, Inc.
 Houston, TX
- Item (s): 5
 Amount: \$7,155.00 (estimated yearly)
 Total amount: \$38,917.40 (estimated yearly)
- Department: El Paso Fire Department
 Funds available: 22010100-01101-503112
 Funding source: Operating Account, Emergency Operations
 Clinical/Medical Supplies
- Total award: \$77,834.80
District (s): All

Fire Department and Purchasing recommend awards as indicated as these vendor's are the responsible and responsive bidders meeting specifications.

This is a twenty-four (24) month contract with the option offered to extend the term of the contract for a one (1) additional year. Additionally, Chemguard and Verde Environmental, Inc. offer a 2%-10 Day prompt payment discount.
 [Purchasing Department, Ray Heredia, (915) 541-4316]

16G. Solicitation No.: 2005-178 Trailer, Belly Dump, Tri-Axle
Award to: Truck Enterprises, Inc.
 El Paso, TX
Item (s): 1
Amount: \$29,950.00

Department: Department of Aviation
Funds available: 62620020-508029-41022-P500004
Funding source: Airport Capital Funds
Total award: \$29,950.00
District (s): **3**

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the sole responsive offer that was received.

This is a fixed-price, single (one-time) purchase for "Trailer, Belly Dump, Tri-Axle", for the Department of Aviation.

Vendor did not offer the option of purchasing additional quantities. Vendor did not offer a prompt payment discount.

[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

16H. Solicitation No.: 2005-182 Plumbing Services
Award to: Perfect Plumbing
 El Paso, Texas
Item (s): #1, #2, & #3
Amount: \$100,000.00 (estimated annually)

Department: Building Maintenance
Funds available: 31010326-502226-01101
Funding source: Building Maintenance General Operating Funds
Total award: \$300,000.00 (estimated)
District (s): **All**

The Building Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

16I. Solicitation No.: 2005-168 Irwin Lambka Park Improvements
 Contractor: Accent Landscaping & Sprinklers, Inc.
 El Paso, Texas

Department: Parks and Recreation
 Funds Available: 14101001-PQLPA122-60122-508027
 Funding Source: 2000 Quality of Life Bonds
 Items: Base Bid I \$163,975.00
 Alternate #1 \$ 3,975.00
 Alternate #2 \$ 11,793.00

Total Award: \$179,743.00

District (s): 1

RECOMMENDATION:

The Department of Parks and Recreation, and Project Manager, Perspectiva3/DI, recommend the award of this contract to Accent Landscaping & Sprinklers, Inc., the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

17. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

17A. BT2005-951 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$24,132.50 to the Wenda Way Street and Drainage project. Funding source is reimbursed expenditures from EPWU. **(District 7)**

Increase	\$24,132.50	to	31255008/PBE04ST14127695/405067	ReimbExpend
Increase	\$24,132.50	to	31255008/PBE04ST14127695/508027	Construction

17B. BT2005-955 PARKS AND RECREATION

This budget transfer establishes the appropriation for Acosta Sports to host the 2005 Hispanic World Softball Tournament. This event will be funded with team registrations and other income, and will be held September 16-19, 2005.

(All Districts)

Increase	\$20,000	to	51510099/P50024916337/404301	Event Fees
Increase	\$ 3,000	to	51510099/P50024916337/404306	Sales to Pub
Increase	\$32,000	to	51510099/P50024916337/404307	SportLeagFee
Increase	\$ 2,200	to	51510099/P50024916337/405060	Donations

Increase	\$11,000	to	51510099/P50024916337/405069	Vend/Conces
Increase	\$ 6,000	to	51510099/P50024916337/501002	Overtime
Increase	\$ 4,000	to	51510099/P50024916337/502116	PromoSup
Increase	\$12,000	to	51510099/P50024916337/522211	RecCnts
Increase	\$ 4,000	to	51510099/P50024916337/502212	Security
Increase	\$22,000	to	51510099/P50024916337/503113	LandMntSup
Increase	\$ 1,500	to	51510099/P50024916337/502411	LeasesNOC
Increase	\$ 1,000	to	51510099/P50024916337/503100	OfficeSup
Increase	\$ 4,100	to	51510099/P50024916337/503115	Food&Bev
Increase	\$ 5,000	to	51510099/P50024916337/503116	RecSup
Increase	\$ 600	to	51510099/P50024916337/503120	Uniforms
Increase	\$ 1,000	to	51510099/P50024916337/504201	EmplyeeTrvl
Increase	\$ 2,000	to	51510099/P50024916337/504414	ProfLicenses
Increase	\$ 5,000	to	51510099/P50024916337/502209	PrtgSrvCnts

17C. BT2005-960 PARKS AND RECREATION

This budget transfer requests a new appropriation to replace the scoreboards in the Armijo Recreation Center gym. The existing scoreboards are beyond repair. Money is available in Armijo's Fund balance. **(District 8)**

Increase	\$9,000	to	51510065/P50020716307/407002	Est Rev
Increase	\$9,000	to	51510065/P50020716307/508009	Furn & Fixt

17D. BT2005-964 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$45,000 from an unallocated capital project to the 2004 Bond Election project called Airway Pump Station to fund construction. Funding source is 1987A GOs. **(District 3)**

Decrease	\$45,000	from	31115108/P59999926061/504405	Contingency
Increase	\$45,000	to	31115108/PBE04FC10126061/508027	Construction

17E. BT2005-967 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$81,000 from an unallocated capital project to the 2004 Bond Election project called Cedar Grove Phase 11-12. Funding source is 1987A GOs. **(District 3)**

Decrease	\$81,000	from	31115108/P59999926061/504405	Contingency
Increase	\$81,000	to	31115108/PBE04ST10626061/508027	Construction

17F. BT2005-969 COMMUNITY AND HUMAN DEVELOPMENT

To transfer funds from the CD 30th Year Contingency account to the Coalition Capacity Building Project II, a 28th Yr (2002-2003) CDBG project to facilitate a 3-month contract extension (3rd amendment) to access federal funds for Homeless programs.

Decrease	\$17,493	from	71150069/G7129CD000107747/508027	Construction
Increase	\$17,493	to	71150069/G7128CD000607665/505209	Sngl LnltmPrj
Decrease	\$17,493	from	71150069/G7129CD000107747/406000	FedGrtProc
Increase	\$17,493	to	71150069/G7128CD000607665/406000	FedGrtProc

18. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

- 18A.** AIDS Project El Paso to hold a run / walk on May 7, 2005 from 8:00 a.m. to 9:00 a.m. Route: Start at the corner of Cincinnati and Stanton to Kansas, turn right on Kansas to Rim, turn left on Rim to Robinson, turn left on Robinson to Piedmont, turn right on Piedmont to La Cruz, turn left on La Cruz and proceed to O'Keefe, turn left on O'Keefe to McKelligon, turn left on McKelligon to Stanton, turn right on Stanton and finish at Cincinnati. Approximately 300 persons will take part and 100 spectators are anticipated. This request includes permission to use amplification (1 microphone and 2 speakers). PERMIT # 05-033

[Tony Munoz] **(District 1)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 16 OFFICERS AND 16 VEHICLES. ESTIMATED COST TO CITY: \$319.50; ESTIMATED COST TO APPLICANT: \$880.50. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18B.** Our Lady of Guadalupe Church to hold a pilgrimage on May 29, 2005 from 9:00 a.m. to 10:00 a.m. Route: Start at the corner of Alabama and Nashville, proceed on Nashville to Elm, turn left on Elm to Mobile, turn left on Mobile and finish at Our Lady of Guadalupe Church. Approximately 300 persons will take part. PERMIT # 05-034 [Eva Aguilar] **(District 2)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 6 OFFICERS AND 6 VEHICLES. ESTIMATED COST TO CITY: \$194.00; ESTIMATED COST TO APPLICANT: \$106.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18C.** Sageland Elementary School to block off Santa Monica between Venado and La Paz on April 29, 2005 from 10:30 a.m. to 1:00 p.m. for a block party. Approximately 500 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." This request includes permission to use amplification (1 microphone and 2 speakers).

PERMIT # 05-036 [Sylvia I Berry] **(District 3)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18D.** San Ignacio De Loyola Church to hold a walk on May 21, 2005 from 10:30 a.m. to 12:30 p.m. Route: Start at San Ignacio Church to Park St, turn left on Park St to Seventh St, turn right on Seventh St to Mesa St, turn right on Mesa St to Overland St, turn right on Overland St to Kansas St, turn right on Kansas St to Fr Rahm, turn left on Fr Rahm to St Vrain, turn left on St Vrain to Delta St and finish at San Ignacio Church. Approximately 1,000 persons, 60 vehicles, 30 animals, 3 floats will take part and 5,000 spectators are anticipated. This request includes permission to use amplification (8 boom boxes, 2 speakers and 2 microphones). PERMIT # 05-037 [Efren Pablo Fernandez] **(District 8)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 20 OFFICERS AND 20 VEHICLES. ESTIMATED COST TO CITY: \$426.00; ESTIMATED COST TO APPLICANT: \$1,574.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18E.** Linda Rangel to block off Lake Nemi between Trawood and Beach Front on May 7, 2005 from 7:00 p.m. to 1:00 a.m. for a block party. Approximately 120 persons will take part and 200 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices" This request includes permission to use amplification (1 microphone, 2 speakers and 1 amp). PERMIT # 05-038 [Linda Rangel] **(District 5)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18F.** Virginia Marquez to block off Roxbury between River Bend and Frontera on April 30, 2005 from 3:00 p.m. to 7:00 p.m. for a block party. Approximately 30 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". Permit # 05-042

[Virginia Marquez] **(District 8)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18G.** Parks & Recreation to hold a walk on April 30, 2005 from 9:30 a.m. to 11:30 a.m. Route: Start at Fox Plaza parking lot on Paisano, proceed on Paisano to Washington St, turn right on Washington St and finish at Washington Park. Approximately 500 persons and 15 vehicles will take part. This request includes permission to use amplification (1 p.a. system, 4 speakers, 30 amps and 4 microphones). PERMIT # 05-039 [Joe Castro] **(District 3)**

NO OBJECTIONS FROM FIRE, SUN METRO AND PARKS. TRAFFIC HAS NO OBJECTIONS TO PROPOSED EVENT, PROVIDED HIGHWAY DEPARTMENT IS ALSO NOTIFIED OF PROPOSED EVENT. TRAFFIC CONTROL BY POLICE OFFICERS. NO RESPONSE FROM TXDOT AS OF 4/18/05. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 16 OFFICERS AND 16 VEHICLES. ESTIMATED COST TO CITY: \$426.00; ESTIMATED COST TO APPLICANT: \$1,174.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18H.** Downtown Sports Bar & Grill to use amplification (4 speakers and 2 amps) on April 30, 2005 from 3:00 p.m. to 2:00 a.m. Approximately 25 persons will take part and 2500 spectators are anticipated. PERMIT # 05-046

[Rico Velazquez] **(District 8)**

THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA**19. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

19A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to add a subsection identifying the speed limit as thirty-five miles per hour on Loma Verde Drive between Pine Springs Drive and Rojas Drive. The penalty as provided in Section 12.84.010 of The El Paso Municipal Code. **(District 6)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

19B. An Ordinance granting a Special Privilege to the Central Business Association of El Paso, Inc., to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso from May 11, 2005 through July 3, 2005. (SP-05007) **(District 8)**
[Planning, Research and Development, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON MAY 10, 2005 FOR ITEMS 19A – 19B

19C. An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.270 (Special Permits for planned residential developments-minimum site area). The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code. **(Districts 1 - 8)**
[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]

19D. An Ordinance changing the zoning of Parcel 1: All of Tract 9B and a portion of Tracts 6 and 10A, Block 11, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-3 (Residential) and imposing certain conditions; and Parcel 2: A portion of Tracts 9F and 10A, Block 11, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Mountain Vista Realty, Inc. ZON05-00006 **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

19E. An Ordinance changing the zoning of a portion of Tracts 1D, 2D, 3D, and 4D, First Supplemental Map of Parkland Addition and a portion of Lot 1, Block 1, Golberg and Lehman, El Paso, El Paso County, Texas from A-O/sc (Apartment/Office/special contract), C-1/sc (Commercial/special contract), and C-4/sc (Commercial /special contract) to R-5/sc (Residential/special contract). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: G & L Joint Venture. ZON05-00014 **(District 4)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 19F.** An Ordinance changing the zoning of a portion of Lot 1A, Block 4, Falcon Hills Unit One Replat B, El Paso, El Paso County, Texas from A-2/sc (Apartment/special contract) to A-O/sc (Apartment/Office/special contract) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Davis Street Corporation. ZON05-00017 **(District 1)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 19G.** An Ordinance granting Special Permit No. ZON05-00021, to allow for a planned residential development on Tract 1C1 and a portion of Tract 1D1, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: View Point Acreage, LLC. **(District 1)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

PUBLIC HEARINGS WILL BE HELD ON MAY 17, 2005 FOR ITEMS 19C – 19G

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

20. APPLICATION FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events. **POSTPONED FROM 04/19/05**

Rio Bravo Healthy Communities Council to hold a march on April 27, 2005 from 12:00 p.m. to 3:30 p.m. Route: Start at the corner of Florence and Seventh St, proceed on Seventh to Stanton, turn left on Stanton to the Bridge of the Americas, turn back around on Stanton to Father Rahm, turn right on Father Rahm to Florence and finish at Armijo Park. Approximately 120 persons will take part. This request includes permission to use amplification (1 microphone, 1 amplifier – 120 watts and 2 speakers – 60 watt). Request waiver of fees for processing the application (\$15.75) and for the necessary police traffic assistance. Signed affidavit submitted. Permit #05-032 **(District 8)**

[Isabel Olague]

NO OBJECTIONS FROM FIRE, SUN METRO, PARKS AND TRAFFIC / ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 10 OFFICERS AND 10 VEHICLES. ESTIMATED COST TO CITY: \$639.00; ESTIMATED COST TO APPLICANT: \$1,111.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

21. MAYOR AND COUNCIL:

- 21A.** Discussion and action to direct the City Manager to have staff 1) Investigate the feasibility of granting an extended lease to the Manhattan Heights Neighborhood Association for the Garden Center located at Memorial Park, and 2) If such is feasible, to enter into required negotiations and execute the necessary documents to allow the issuance of the extended lease.

[Representative Robert A. Cushing, Jr., (915) 541-4996] **POSTPONED FROM 04/19/05**

- 21B.** Discussion and Action regarding the Texas Department of Housing and Community Affairs compliance with state regulations to grant funding to the Cedar Oak Townhomes Development located at 1480 Cedar Oak Dr.
[Representative Vivian Rojas, (915) 541-4108]

22. BUILDING PERMITS AND INSPECTIONS:

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

- 22A.** Discussion and action on a Resolution that the City Manager be authorized to execute an agreement between the City of El Paso and Rio Bravo Healthy Communities Council for a march on April 27, 2005, which constitutes an important public purpose of benefit to the City and citizens of El Paso. The Agreement provides that the City will make available the necessary funds to cover the costs of the on-duty police traffic control assistance, not to exceed \$1,111.00, for the event.
- 22B.** Discussion and action: This Agreement is entered into by and between The City of El Paso, a municipal corporation organized and existing under the laws of the State of Texas, hereinafter referred to as the "City", and Rio Bravo Healthy Communities Council, a coalition of seven member organizations from El Paso, Texas; Southern New Mexico, and Cd. Juarez, Chihuahua, hereinafter referred to as "Contractor".

23. ENGINEERING: [Engineering Department, Irene Ramirez, (915) 541-4431]

Discussion and action on a resolution that the City Manager be authorized to sign a Consultant Services Agreement by and between the CITY OF EL PASO and AMEC EARTH & ENVIRONMENTAL, INC., for environmental engineering services for a period of two (2) years in an amount not to exceed SEVEN HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$750,000.00). **POSTPONED FROM 04/19/05**

24. PURCHASING: BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

- | | | |
|-------------|----------------------------|--|
| 24A. | Solicitation No.: 2005-106 | 6 Person Tilt Cab Aerial Apparatus |
| | Award to: | First In, Inc. |
| | | El Paso, Texas |
| | Item (s): | #1B |
| | Delete Options: | All except 1-16, 105, 107, 129, 139, and 140 |
| | Amount: | \$699,688.00 |
| | Department: | El Paso Fire Department |
| | Funds available: | 04252003-508029-508007-27260-PMB0004130 |
| | Funding source: | FY2003 Capital Equipment |
| | Total award: | \$699,688.00 |
| | District (s): | 8 |

The Fire, Fleet Services and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid. This vendor is also the low responsible and responsive bidder.

This is a fixed-price, single (one-time) purchase, to purchase one (1) 6 Person Tilt Cab Aerial Apparatus. There is an option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within three hundred and sixty-five (365) days, from the date of award of the contract. No prompt payment discount is offered.

[Purchasing Department, Monica Vera, (915) 541-4234]

24B. Solicitation No.: 2005-117 Janitorial Services for City Municipal Building
Award to: Maheir Janitorial Services
 El Paso, TX
Item (s): All
Amount: \$177,972.00 (estimated yearly)

Department: Fleet Service, Facilities Services
Funds available: 31010326-01101-502206
Funding source: Operating Account, City Wide Maintenance
 Janitorial Contracts
Total award: \$533,916.00 (estimated)
District (s): **7**

Fleet Services Department and Purchasing recommend award as Maheir Janitorial Services has provided the Best Value Bid.

This is a thirty-six (36) month contract with no option to extend the term of this contract.

Additionally, Maheir Janitorial Services offers a prompt payment discount of 1%10 Days. [Purchasing Department, Ray Heredia, (915) 541-4316]

24C. Solicitation No.: 2005-181 4 Person Tilt Cab Pumpers
Award to: First In, Inc.
 El Paso, Texas
Item (s): #1A-1
Amount: \$793,398.00

Department: El Paso Fire Department
Funds available: 71150069-508029-07818-G7130CD0038
 (\$396,699.00)
 71150069-508029-07817-G7130CD0037
 (\$396,699.00)
Funding source: Community Development Grant
Total award: \$793,398.00
District (s): **6 and 8**

The Fire, Fleet Services and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid. This vendor is also the low responsible and responsive bidder.

This is a fixed-price, single (one-time) purchase, to purchase two (2) 4 Person Tilt Cab Pumps. There is an option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within three hundred and sixty-five (365) days, from the date of award of the contract. No prompt payment discount is offered.

[Purchasing Department, Monica Vera, (915) 541-4234]

24D. Solicitation No.: 2005-158 Improvements to Veterans Park and Recreation Center
Contractor: Jan Car, Inc.
El Paso, Texas

Department:	Parks and Recreation
Funds Available:	14101001-PQLPA167-60167-508027
Funding Source:	Year 2000 Quality of Life Bond Issue
Items:	Base Bid \$ 1,459,300.00
	Alternate No. 1 \$ 12,000.00
	Alternate No. 2 \$ 14,000.00
	Alternate No. 3 \$ 12,000.00
	Alternate No. 4 \$ 28,500.00
	Alternate No. 5 \$ 65,700.00
	Alternate No. 6 \$ 45,600.00
	Alternate No. 7 \$ 21,800.00
	Alternate No. 8 \$ 10,500.00
Total Award:	\$1,669,400.00

District (s): 4

The Departments of Engineering and Parks and Recreation and the Project Manager, Perspectiva 3DI recommend the award of this contract to Jan Car, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager be authorized to sign the referenced contract. Additionally, it is requested that the City Manager be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

25. PURCHASING: BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

25A. Solicitation No.: 2005-126 Median Landscaping, George Dieter Dr.,
Montwood Dr., and Pebble Hills Blvd.
Contractor: Accent Landscaping & Sprinklers, Inc.
El Paso, Texas

Department: Streets
Funds Available: 14200403-PBE04ST110-29125-508027 \$ 797,952.60
14200403-PBE04ST110-29125-508027 \$ 20,000.00
14200403-PBE04ST121-29136-508027 \$1,356,043.32
14200403-PBE04ST109-29124-508027 \$ 87,651.57
14200403-PBE04ST126-29141-508027 \$1,143,872.52

Funding Source: 2004 Bond Issue
Items: Base Bid I \$ 787,452.60
Base Bid II \$ 846,573.32
Base Bid III \$ 87,651.57
Base Bid IV \$ 750,872.52
Alternate No.1 \$ 469,735.00
Alternate No.3 \$ 393,000.00
Alternate No.4 \$ 39,735.00
Alternate No.5 \$ 10,500.00
Construction Allowance as Specified \$ 20,000.00

Total Award: \$3,405,520.01
District(s): 5 and 6

RECOMMENDATION:

The Departments of Engineering and Streets recommend the award of this contract to Accent Landscaping & Sprinklers, Inc., the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term. [Purchasing Department, Byron Johnson, (915) 541-4308]

25B. Solicitation No.: 2005-105 Cedar Grove Street & Drainage
Improvements Phases I-IX and XI-XII
Contractor: Danny Sander Construction, Inc.

Department: Street Department
Funds Available: 14200403-PBE04ST106-29120-508027
14200403-PBE04ST107-29121-508027

Funding Source: Capital Improvement Projects
Items: Base Bid No. 1 \$ 6,159,579.50

Base Bid No. 2	\$ 780,089.00
Base Bid No. 3	\$ 549,776.00
Base Bid No. 4	\$ 577,285.00
Total Award:	\$8,066,729.50
District (s):	3

RECOMMENDATION:

The Departments of Purchasing, Engineering, and Streets recommend that C.F. Jordan, L.P., the low bidder, be allowed to withdraw their bid without prejudice or forfeiture of their bid security.

It is further recommended that the award of this contract be to Danny Sander Construction, Inc., as they would now be the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

26. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:

Public hearing to determine if the property located at 770 Hempstead Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 14, 2004. The owners of this property, Karen Pamela Smythe, Mabel S. Haith, 770 Hempstead Drive, El Paso, Texas 79912-7086, have been notified of the violations at this property. **(District 1)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
 POSTPONED FROM 03/01/05

27. PUBLIC HEARINGS – COMMUNITY AND HUMAN DEVELOPMENT:

[Community and Human Development, Robert Salinas, (915) 541-4643]

27A. Public Hearing and discussion and action on the adoption of a Proposed 2005-2010 Consolidated Plan for the City of El Paso and a Proposed 2005-2006 Annual Action Plan, including the Proposed Budgets for the 31st Year (2005-2006) Community Development Block Grant Program Budget, the FY 2005 Emergency Shelter Grant Program, and the FY 2005 HOME Investment Partnerships Program.

- 27B.** Discussion and action on a Resolution that, having conducted a public hearing, the City Council hereby adopts a Proposed 2005-2010 Consolidated Plan for the City of El Paso and a Proposed 2005-2006 Annual Action Plan, including the Proposed Budgets for the 31st Year (2005-2006) Community Development Block Grant Program, the FY 2005 Emergency Shelter Grant Program, and the FY 2005 HOME Investment Partnerships Program; and

That the City Council directs that the notice of availability of the Proposed 2005-2010 Consolidated Plan for the City of El Paso and the Proposed Budgets for the 31st Year Community Development Block Grant Program, the FY 2005 Emergency Shelter Grant Program, and the FY 2005 HOME Investment Partnerships Program be published in the El Paso Times on Sunday, May 8, 2005, to provide the public with an opportunity to review the Proposed 2005-2010 Consolidated Plan and the Proposed Budgets, as part of the summary of the Proposed Annual Action Plan for 2005-2006, and submit comments to the City Council or the Department of Community and Human Development. The deadline for submission of written comments will be 5:00 p.m., on Wednesday, May 8, 2005. The City Council will conduct a public hearing in City Council Chambers during the regular City Council meeting on Tuesday, June 21, 2005, for the purpose of receiving comments from the public and adopting the 2005-2010 Consolidated Plan and the Annual Action Plan, including the 31st Year (2005-2006) Community Development Block Grant Program Budget, the FY 2005 Emergency Shelter Grant Program Budget and the FY 2005 HOME Investment Partnerships Program Budget, for submission to the U.S. Department of Housing and Urban Development. **(All Districts)**

28. PUBLIC HEARINGS – EL PASO WATER UTILITIES PUBLIC SERVICE BOARD:

- 28A.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to Tropicana Development Inc., land totaling approximately 117.5 acres of land out of Sections 21 & 22, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]
- 28B.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to Tropicana Development Inc., land totaling approximately 120.7 acres of land out of Section 22, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]
- 28C.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to EPT Land Assets, LP, Land totaling approximately 122.2 acres of land out of Section 21, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

- 28D.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to EPT Land Assets, LP, land totaling approximately 100.5 acres of land out of Section 21, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

29. PUBLIC HEARING – FINANCIAL AND ADMINISTRATIVE SERVICES:

An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and the Humane Society of El Paso, Inc. which will allow for the City to convey property commonly known as 211 and 325 Shelter Place, El Paso, El Paso County, Texas, including the improvements thereon.

(District 3) [Financial and Administrative Services, Gonzalo Cedillos, (915) 541-4074]

30. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

- 30A.** An Ordinance granting Special Permit No. ZON05-00001 to satisfy parking requirements for Parcel 1, described as Lots 23 - 26, Block 9, East El Paso Addition, El Paso, El Paso County, Texas, by allowing off-street parking on Parcel 2, described as the East 20 feet of Lot 13, all of Lot 14, and the South 88 feet of Lots 15 and 16, Block 10, East El Paso Addition, pursuant to Section 20.24.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Francisco Gonzales. ZON05-00001 **(District 8)**

[Planning, Research and Development, Christina Valles, (915) 541-4930]

- 30B.** An Ordinance granting a Special Privilege to Keith Mahar to temporarily close a portion of Mills Avenue between Stanton Street and Kansas Street on Saturday, April 30, 2005 and Sunday, May 1, 2005 for "The First Annual Downtown Sports Bar & Grill Block Party". *(Fee: \$50.00, SP-05004)* **(District 8)**

[Planning, Research and Development, Esther Guerrero, (915) 541-4720]

- 30C.** An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code by amending Chapters 19.16 (Improvement Standards and Design Principles) Section 19.16.020 (Streets) Subsection 19.16.020.P (Vehicular Access) to provide certain assurances to a subdivider who has offered to dedicate more land than the City is willing to accept. The penalty is as provided in Section 19.04.190 of the Code.

[Planning, Research & Development, Rudy Valdez, (915) 541-4635]

- 30D.** An Ordinance granting a Special Privilege authorizing the temporary closure of San Antonio Street between Stanton Street and Kansas Street in front of Calendar Park for a City sponsored downtown "Gone To Lunch" Concert Series and events on April 29, 2005, May 6, 2005, May 13, 2005, May 20, 2005, May 27, 2005 and June 3, 2005. [Planning, Research and Development, George Sarmiento, (915) 541-4193]

31. CITY MANAGER:

City Manager's report of current events and issues:

Quarterly Financial Report, 2nd Quarter, to Council and preliminary revenue projections for Fiscal Year 2005/2006 and update on the budget process for FY 2006.

[Deputy City Manager, William Studer, (915) 541-4011]

- 32.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 32A.** *Frank Lopez, et. al. vs. City of El Paso*; Cause No. EP-05-CA-0009-FM in the United States District Court for the Western District of Texas. (551.071)

[City Attorney's Office, James A. Martinez, (915) 541-4550] POSTPONED FROM 04/19/05

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov>